

## Alabama Prisoner Struggle

The Final Straw Radio October 30, 2022 This week you'll hear from Diyawn Caldwell, founder of "Both Sides Of The Wall" which has been supporting striking people behind bars across the Alabama Dept of Corrections where incarcerated workers refused their unpaid work over 3 weeks. The strike is on hold, for now, but prisoners continue resistance despite repression. You can learn more abut the group by finding them on social media or visiting BothSidesOfTheWall.

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**Diyawn Caldwell:** My name is Diyawn Caldwell, my pronouns are she/her/hers. I am the founder of Both Sides Of The Wall.

TFSR: Great. Could you talk a bit about Both Sides Of The Wall, where you all are based out of, how it came to be, and what you all do?

**DC:** Yeah. Both Sides Of The Wall is an organization that is committed to changing the criminal justice system, also committed to serving the incarcerated citizens and their families. We specialize in re-entry, participatory defense, criminal justice reform, prison reform, and the needs of the incarcerated individuals and their families.

TFSR: What's your relationship to incarceration? Have you been incarcerated before? Do you have any loved ones behind the walls that you're advocating with?

**DC:** I have been incarcerated previously. No prison time. I have a husband that has been incarcerated for 17 years in the Alabama Department of Corrections.

TFSR: That right there is a pretty good reason to be involved in trying to reform or trying to increase the situation for him and folks like him who are stuck behind bars.

**DC:** Absolutely. Yes. Definitely. You know, you can't say you love someone that is incarcerated and see what they're going through in their living conditions and not want to fight and step up and be a part of it. I mean, I don't see how those two mesh together. If you say that you love someone, you're going to do whatever you have to do to try to improve their situation, especially if they're being wronged, or if they're living in unjust conditions, or living in an unjust penal system.

TFSR: So as I understand there are multiple different formations and groups and individuals taking part behind bars in the strike that's going on in the Alabama Department of Corrections system. Can you talk a little bit about what some of the groups are that you've seen engaging, and what the demands are? Maybe starting with what the general conditions that people like your husband are experiencing?

DC: Well, basically, inside the Department of Corrections, they are living in decrepit, inhumane conditions. They're living in black mold, the conditions are overcrowded, they have up to 200 men in a warehouse bay that was designed for programming. They have turned all the programming dorms in to living quarters. They have maybe two feet between each one of them that they sleep in. The showers are molded. For 200 men you probably have three toilets and two sinks that work in each bay... two phones to reach out to the family members. If you look and see the conditions, I can send you some pictures, it looks worse than some third world countries. So the guys have banned together to stand up and fight for themselves, fight for their rights, fight for what the taxpayers pay for. Where's the money going? Because it's definitely not going to improve the conditions of the prison system.

Then you have the parole board. We have a 98% denial rate. They have no hope. They have no way out. Men and women are getting denied at an all time high, even though they have met every criteria that there is to be able to make parole. They have the institution of parole officer that comes in and assesses them according to the OR stat lines, which is Ohio Risk Assessment that they use. They give the findings to the parole board. Their file has been given over from the institutional of parole officers stating that they have met the guidelines and they're a good candidate for parole. However, the parole board is still denying them because they have the discretionary call and the parole bill saying regardless that meet the guidelines, regardless if they have done everything possible to rehabilitate themselves and take every program to rehabilitate themselves, they still find and deem them 'not fit' to make parole because of that discretionary clause.

TFSR: Is there an impetus for those parole officers or for the departments that run the parole boards economically? To not parole people because they get federal funding out of having more people behind bars, or is there some sort of way to follow the money as to why this is happening? Or what do you think is the treason that these parole boards are failing to to parole people?

**DC:** I think they all work together. I do think it's an economical issue. They're profiting off the backs of our people. They are trying to build these three new mega prisons, so they have to house the people in these prisons. I think that's one of the impetus' behind it. Because they want to

fill these prisons. They have to pay these bonds back. They have to profit. In order to do that, they have to hold people incarcerated.

We also have this issue of convict leasing. This has been going on for decades, for centuries. They are profiting through these corporations and these jobs and these government entities who have our people go out and work for little or nothing. When I say a little or nothing, I mean a little. 30 to 35 cents an hour, you know, \$1 an hour. They are profiting big time off of the convict leasing program that they have going on.

Of course, we have the factories as well. You have one at home. Every tag [license plate] in Alabama and Southern Mississippi are made through that tag plant. You have the sewing factory and the furniture factory, they build furniture and sell to high end companies. So yes, it is a profitable entity that they're using to keep our people incarcerated.

TFSR: Yeah, and when you're using language like convict lease and saying that is going on for centuries, it is not too much to say that the United States built its wealth as a government and as a nation off of the backs of incarcerated and disinterred people who were living here who had been living or African folks that were brought here and worked to death. Convict leasing goes to the period after the Civil War when the black codes were passed, right. And it allowed for a continuation through the 13th amendment of the extraction of labor through the criminalization of mostly Black folks in this country.

I know that Alabama has had a long history, especially in the last decade, of incarcerated folks and their supporters on the outside speaking in terms of the forced extraction of labor through the prison system, and through the jails as being a continuation of slavery. I wonder if you could talk a little bit about that, in your perspective, if you think that's a fair assessment?

**DC:** Yeah, definitely. I mean, we have to look at it for what it is. It is definitely a racial bias when it comes down to the judicial system and incarceration. They definitely utilize the Black and brown people to bring profitability to the States, every state in the United States. They also have the slavery clauses that is still in the 13th amendment. So, how are we free? That's their tactic and their way of utilizing us, again, as Black and brown people with that clause in the 13th amendment saying that you are free unless you have committed a crime, and then you are then a slave. So how are you saying that we're free? But if we commit a crime then we

are slaves. That makes absolutely no sense. If we're free, we're free. If we commit a crime, then we pay the cost for our crime, and we continue to go on as free citizens. That's not right. Even in the Alabama 1901 constitution section 32, it still says that it has involuntary servitude clause in there basically saying the same thing, 'You are slave if you've committed a crime.'

So yes, there's a lot of disparities in the law. There is a lot of racial bias when it comes to incarceration. They use that to their benefit to continue to confine us Black and brown people as slaves.

TFSR: You were mentioning those things about where's the money going and the different parts of the prison facilities being used for housing people when they would have been recreational or educational centers, overpopulation in the prisons in existing facilities, and [Alabama Governor] Kay Ivey and other people in the state government pushing for building new mega prisons. At the same time what I've heard from incarcerated folks in past interviews, and also seen through work stoppages, or a lack of, or a refusal to get hired for jobs working in these facilities, is that people on the outside who might be doing these jobs, working class people, often Black and brown, sometimes white, are put into a dangerous, overpopulated situation. I have no love for prison guards, but they can't hire them, because no one will take the jobs because of the the wages that they're being offered. So in the meantime, it seems like the State government is basically holding the whole population of the State sort of hostage and creating a very dangerous scenario, almost waiting for it to sort of boil over in order to push through the building of these big infrastructure projects.

DC: Yes, definitely. They try to use that as a pedestal to say, "okay, we need to build these in prisons. That way we don't need as many guards with the infrastructure that it will be built under." However, what are you doing at this point now? We're losing people every day. Bodies are leaving out of those facilities every day. So what are you going to do in the meantime, in the between time? Let's just be real about the situation. If you're building mega prisons that's going to house 4000 people, you still don't have enough guards to fill those positions with the capacity that you have now. That's not our problem. That's not the general public's problem. They need to pay more. They need to do whatever they need to do to get people in there because there is a safety and security risk when it comes down to it, because these guys have no oversight. So when they have a disruption

in there... prime example: There was a young man around two weeks ago that got killed in Limestone Prison up in the Huntsville area. You mean to tell me there was no guard in the dorm to intervene, to call for help, to call for any type of outside help, a nurse or anything, and this guy just lay there and bled out and died because you all do not have the proper setup. That's asinine.

TFSR: Yeah, absolutely. I've been hearing through friends, for instance at William E. Donaldson Correctional about pretty frequent suicide of prisoners under the conditions that there, where they're not being offered medical treatment or counseling of any sort. There's a constant decrease in the quality of food being available to people, overcrowding, which will lead to more acts of violence among folks and less oversight when there are dangerous situations by whatever guards there might be around.

**DC:** I question if they really are all suicides. I questioned that because especially the offices up there, they have a history of murdering individuals, incarcerated citizens, and getting away with it. So I question if they're all suicides, I really do. They cover up a lot of things. They list these deaths as different causes than what they really are. So I question, again, if they're all suicides. I wouldn't be surprised if the guards murdered a few of them. Do we have people that are hopeless that are committing suicide? Yes, we do. But at the rate that they're recording it, I don't believe it.

TFSR: Not to say that the federal government is a great bastion of rights and justice for people. But they've stepped in multiple times to sue the government of Alabama because of the activities in the Department of Corrections & Prisons, because they're creating these unsafe circumstances.

You had mentioned before the denial of parole. I know one of the demands that I've seen listed from prisoners on the inside is doing away with life without parole. Denying people parole is a de facto way of just creating a life without parole circumstance, as well as creating a Statewide Conviction Integrity Unit to investigate questions of messed up convictions that are unjust against people, mandatory parole criteria that will guarantee parole to all eligible people who meet the criteria, as you said, streamlined review process for medical furloughs and review of elderly incarcerated individuals for medical release.

Do you have any anecdotes of people that you're in contact with on the inside having to navigate the so called medical care inside of the prison system?

**DC:** No, I don't have any that I can name here publicly. I do want to say that, along with those demands, too, we do have several other demands that are not listed. One being to reinstate Good Time for all eligible incarcerated citizens that are eligible to return to society. So that is one of the biggest ones that will alleviate a lot of the overcrowding. If they go back and look at the demands that the governor called unreasonable, which are definitely reasonable, they will see that a few of the demands were in the last legislative session to be voted on, to be looked over. So how are they unreasonable if bills have already been drafted around these situations in these demands.

All the demands will alleviate the overcrowding situation, which will help the staffing situation, which will in retrospect help a lot of the issues that are surrounded in the DOJ report. I mean, okay, we can't correct the activities in the way that they treat and handle the inmates through these demands. That's something that has to be implemented through policy and followed up upon, and people are held accountable for their actions, but a lot of the demands will alleviate a lot of issues within the DOJ lawsuit.

Also, I want to say this: We're not looking for the DOJ to come in and save us. The DOJ has sued Alabama on several occasions and they have not yet to come and take over these prisons. How many bodies do we have to lose before they come in and step in and take over the prisons? I mean, are you all comfortable going to sleep at night knowing that people are dying and you have not intervened? That makes absolutely no sense to me. How many bodies do we have to lose? That in itself gives a reason for emergency intervention. There is no staff there to help intervene with these issues and we are losing people. Why have they not stepped in? That is my question.

## TFSR: That's a totally fair question.

I'd love to learn more about the strike as far as you know it. It's weeks in at this point. And if you don't have a sense of this, it's perfectly fine. But if you wouldn't mind talking about what you're aware of if folks on the inside are putting down tools, or refusing to leave their cells, refusing to eat, or attend educational sessions, or is it some mix-

ture of those things? Do you have a sense of which facilities are participating? I've heard there's been more repression recently, so things might have changed.

**DC:** Yes. We have come to an agreement with the guys on the inside. We take our orders from the guys on the inside, because they are the ones that are living in those conditions. So we just follow their footsteps. However, they have decided to put the strike on hold to give the governor and the legislators and the state of Alabama the opportunity to address our grievances and demands. However, if they have not addressed our demands within a reasonable amount of time, then the women and the men inside will resume the strike. We will continue this and continue with things until they do something. We're gonna have to tie their hands, you know? We're going to tie their hands.

TFSR: So, Both Sides Of The Wall had a recent demonstration outside of the Capitol, the State Capitol in Montgomery, how did that go? What was the attendance like? And do you think that you got your point across?

**DC:** I definitely think we're building momentum. We got our point across. Kay Ivey was looking at us outside of the window, so she was paying attention to what was going on. We had around 500 people there on the roster, some people did not sign the roster. So I'm sure we had more than that to attend the rally.

We are constantly building momentum, we are going to start going to every major city here shortly to educate people on what's going on. For people that cannot travel to Montgomery, we're coming to them. We're going to educate them on what's going on. Once we finished the major cities, we will resume again in Montgomery for a big rally. So we are definitely continuing to put the work in. The guys will go back on strike shortly, if they have not come to us to sit down to address the demands and lay out concrete efforts to address and resolve the issues.

TFSR: So wrapping up, if you could tell listeners where to find more information about the organizing that you're doing, as well as any other news sources, social media, that you can think of that are doing a good job of covering this, especially if they're getting the direct words of the people behind bars out. I'd love to hear that for the audience.

**DC:** Okay, awesome. Yes. So you can follow us on every platform @Both-SidesOfTheWall on Twitter it's @BSW\_Advocacy. Instagram, it is Both-SidesOfTheWall\_. On TikTok it's BothSidesOfTheWall. You can also visit our website at www.BothSidesOfTheWall.com. All updates will be posted there. You can also contact us by email, and that will be Contact@Both-SidesOfTheWall.com

TFSR: Cool. Well, thank you so much for having this chat and for the work that you're doing and I look forward to a success.

**DC:** Oh, yeah. Awesome. Thank you so much for having me. And stay tuned! We will resume.



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